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That the Students in the School of Jurisprudence of the University of California may be given that profound insight which the Romans attributed to a knowledge of that science, to their happiness and to the blessing of their country, is the wish of

E. D. White.

In these words the late Chief Justice of the United States Supreme Court responded to a request for an autograph on his portrait in Boalt Hall. The response and the sentiment are characteristic. His training in the law of Louisiana had given him a familiarity with jurisprudence, with the Roman and the civil law. This training he employed to broaden and enrich the Anglo-

American legal conceptions. This enlarged juristic background, his practical knowledge of business and agriculture, his political experience in the United States Senate—all gave a breadth of view admirably fitting him for the position of chief, and justifying the breaking of precedent in his elevation from associate justice. His courtesy, kindliness and democratic simplicity gave the touch of humanity to the Supreme Court so important if the people are to feel satisfied in the integrity and good faith of the decisions rendered.

Comment on Recent Cases

ADMIRALTY: LIABILITY OF VESSEL AND OWNERS FOR PERSONAL INJURIES TO SEAMEN—What is the exact status of a seaman's right to recover damages for personal injuries from a vessel and her owners? *Patton-Tully Transportation Company v. Turner* [1] presents this question acutely—the court allowing to the injured seaman damages beyond the usual "care and cure" upon the finding that the injuries resulted from "lack of original seaworthiness"—at the same time permitting the shipowners to limit liability upon the theory that the unseaworthiness was not within their "privity or knowledge" so as to bar their right to limit liability under the Limitation of Liability Act.[2] This result differentiates sharply between unseaworthiness as a basis for personal recovery by an injured seaman and unseaworthiness under contracts of transportation in connection with questions involving the right to limit liability.

The case serves as another illustration of the great confusion of doctrine which exists today in American admiralty law upon all questions of rights of injured seamen, and its moral may be stated as the now trite demand for complete legislative revision of the law upon this subject.[3] Nevertheless, the result of the case, it is submitted, can be justified under the existing state of our admiralty law.

The recognition of the American law of the sea as an independent, complete body of doctrine is of comparatively recent development.[4] Following traditional admiralty law, however, our

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[1] (Circ. Ct. App., 6th Circ., Dec. 7, 1920) 269 Fed. 334.

[2] Rev. Stats. U. S. § 4283, 6 Fed. Stats. Ann. (2d ed.) p. 377, 27 U. S. Stats. at L. 445.

[3] Austin T. Wright in 8 California Law Review, 340 note; see also, 8 California Law Review, 172. The Maritime Law Association of America has appointed a committee to investigate the feasibility of a Federal Seamen's Compensation Act.

[4] Note, 8 California Law Review, 114, and cases there cited. The Lottawanna (1874) 88 U. S. (21 Wall.) 558, 22 L. Ed. 654, is the leading case.